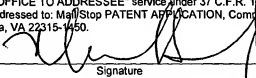


15992 U.S. PTO  
07/28/03

CERTIFICATE OF EXPRESS MAIL	
NUMBER	EV 318622091 US
DATE OF DEPOSIT	July 28, 2003
I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.100 on the date indicated above and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22315-1450.	
 Signature	

22312 U.S. PTO  
10/628147

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Atty. Dkt. No.: 02738.0006.CNUS02**

**Prior Application:**

**Examiner: T. Criares**

**Group Art Unit: 1619**

**Serial No.: 09/939,898**

**Filing Date: August 27, 2001**

**Mail Stop PATENT APPLICATION**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22315-1450

**REQUEST FOR FILING CONTINUATION**  
**APPLICATION UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a continuation application under Rule 53(b) (37 C.F.R. § 1.53(b)) of co-pending prior application Serial No. 09/939,898, filed August 27, 2001, entitled "Reverse Phase Connective Tissue Repair Composition."

- ☒ 1. Enclosed is a copy of the prior application Serial No. 09/939,898 as originally filed, including specification, claims, and declaration. The undersigned hereby verifies that the attached papers are a true copy of the prior application as originally filed and identified above, that no amendments (if any) referred to in the declaration filed to complete the prior application introduced new matter therein, and further that this statement was made with the knowledge that willful

false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

(a) ☒ The inventorship is the same as prior Application Serial No. 09/939,898.

(b) ☐ Deletion of inventor(s). Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. § 1.63(d)(2) and 1.33(b).

(c) ☐ Priority of foreign patent application number \_\_\_\_\_, filed \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. § 119(a)-(e). The certified copy:

☐ is enclosed.

☐ has been filed in the prior Application Serial No. \_\_\_\_\_.

☒ 2. The Commissioner is requested to grant Applicant a filing date in accordance with Rule 1.53.

☐ 3. Enclosed is a check in the amount of \_\_\_\_\_ to cover the filing fee as calculated below and the fee for any new claims added in the Preliminary Amendment referred to in Part No. 9 below.

**CALCULATION OF FEES FOR FILING CONTINUATION APPLICATION  
WITH CLAIMS AS PRESENTED IN PRELIMINARY AMENDMENT**

<b>FOR</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>	<b>FEE</b>
Basic Fee -----				\$375.00
(Small Entity)				
Total Claims	33- 20 =	13 X	\$9.00 =	\$117.00
Independent Claims	4- 3 =	1 X	\$42.00 =	\$42.00
Multiple Dependent Claim(s) -----				\$-0-
<b>TOTAL FILING FEES:</b>				<b><u>\$534.00</u></b>

- ☒ 4. Assignee GenSci OrthoBiologics, Inc. claims small entity status for this application.
- ☒ 5. The Commissioner is authorized to charge the fee of \$534.00 to Deposit Account No. 01-2508/02738.0006.CNUS02. Should any additional fees be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Deposit Account No. 01-2508/02738.0006.CNUS02.
- ☒ 6. Enclosed is a copy of the current Power of Attorney in the prior application.
- ☒ 7. Address all future communications to:
- Janelle D. Waack  
HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057  
(713) 787-1400
- ☒ 8. The prior application is presently assigned to GenSci OrthoBiologics, Inc.
- ☒ 9. Enclosed is a Preliminary Amendment. Any additional fees incurred by this amendment are included in the fee calculation at paragraph no. 3.

- ☒ 10. Cancel in this application claims 1-28 of the prior application before calculating the filing fee.
- ☒ 11. Applicant claims the benefit under 35 U.S.C. § 120 of parent U.S. Patent Application Serial Nos. 09/939,898 and 08/922,068. Please amend the specification by inserting before the first line the sentence: --This application is a continuation of co-pending U.S. application Serial No. 09/939,898, filed August 27, 2001, which is a continuation of U.S. application Serial No. 08/922,068, filed September 2, 1997, now U.S. Patent No. 6,309,659.--
- ☐ 12. Enclosed are formal drawings.
- ☐ 13. An Information Disclosure Statement (IDS) is enclosed.
- ☐ (a) PTO-1449.
- ☐ (b) Copies of IDS citations.
- ☐ 14. Transfer the sequence information, including the computer readable form previously submitted in the parent application, Serial No. \_\_\_\_\_, for use in this application.
- ☒ 15. Other: Granted Petition to Make Special as Small Entity Biotech Application.
- ☒ 16. Return Receipt Postcard.

Respectfully submitted,



HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057

Janelle D. Waack  
Reg. No. 36,300

Attorney for Assignee  
GenSci OrthoBiologics, Inc.

Date: July 28, 2003